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PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of

Shinji HIRANO

Group Art Unit: 2826

Application No.: 10/762,474

Examiner: Fazli Erdem

Filed: January 23, 2004

Docket No.: 118267

For: SEMICONDUCTOR INTEGRATED CIRCUIT INCLUDING FUSE DEVICE AND
METHOD FOR MANUFACTURING THE SAME

RESPONSE TO RESTRICTION REQUIREMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In reply to the November 3, 2004 Restriction Requirement, Applicant provisionally elects Group I, claims 7-13, with traverse.

It is respectfully submitted that claim 1 recites "a method of manufacturing a semiconductor integrated circuit", and claim 7 recites "a semiconductor integrated circuit having every element provided or formed by the method of claim 1." As such, the method claims and the device claims are not materially different from each other.

It is also respectfully submitted that the subject matter of all claims 7-13 is sufficiently related that a thorough search for the subject matter of any one Group of claims would encompass a search for the subject matter of the remaining claims. Thus, it is respectfully submitted that the search and examination of the entire application could be made without serious burden. See MPEP §803 in which it is stated that "if the search and examination of an entire application can be made without serious burden, the examiner must examine it on the

merits, even though it includes claims to independent or distinct inventions" (emphasis added). It is respectfully submitted that this policy should apply in the present application in order to avoid unnecessary delay and expense to Applicants and duplicative examination by the Patent Office.

Thus, withdrawal of the Restriction Requirement is respectfully requested.

Respectfully submitted,



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Date: December 3, 2004

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